

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

## DECLARATION AND POWER OF ATTORNEY

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names,

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

### RECIPROCATING SAW HOLDER

the specification of which (check one)

☒ [ X ] is attached hereto.

☐ [ ] was filed on \_\_\_\_\_ as Application  
Serial No. \_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claim</u>	
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____

We hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

## PRIOR PROVISIONAL APPLICATIONS

\_\_\_\_\_  
(application serial number)\_\_\_\_\_  
(Month / Day / Year filed)\_\_\_\_\_  
(application serial number)\_\_\_\_\_  
(Month / Day / Year filed)

We hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint Harold Weinstein, Reg. No. 20613; Edward D. Murphy, Reg. No. 20625; John D. Del Ponti, Reg. No. 24258; Charles E. Yocum, Reg. No. 30121; Bruce S. Shapiro, Reg. No. 33120; Adan Ayala, Reg. No. 38373; Michael P. Leary, Reg. No. 41144, Ajay K. Gambhir, Reg. No. 44115, and Richard J. Veltman, Ref. No. 36957 of The Black & Decker Corporation, 701 East Joppa Road, Towson, Maryland 21286, telephone (410) 716-3900; and Christopher M. Brock, Reg. No. 27,313, Ryan W. Massey, Reg. No. 38,543, and each principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. We request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

DECLARATION AND POWER OF ATTORNEY

Full name of first joint inventor: Kelton W. Lovell

Inventor's signature: Kelton W. Lovell

Date: 7/31/00

Residence: 1 Duncroft Court, 2A, Baltimore, Maryland 21236

Citizenship: United States of America

Post Office Address: 1 Duncroft Court, 2A, Baltimore, Maryland 21236

Full name of second joint inventor: Timothy T. McKenzie

Inventor's signature: Timothy T. McKenzie

Date: 7/31/00

Residence: 703 Dale Avenue, Baltimore, Maryland 21206

Citizenship: United States of America

Post Office Address: 703 Dale Avenue, Baltimore, Maryland 21206

Full name of third joint inventor: Jason Melvin

Inventor's signature: Jason Melvin

Date: 8-8-00

Residence: 9 Hillside Avenue, Towson, Maryland 21286

Citizenship: United States of America

Post Office Address: 9 Hillside Avenue, Towson, Maryland 21286

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: To Be Assigned  
Filing Date: To Be Assigned  
Applicant: Lovell et al  
Group Art Unit: To Be Assigned  
Examiner: To Be Assigned  
Title: RECIPROCATING SAW HOLDER  
Attorney Docket: 0275Y-000349/DVB

---

Director of The United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REFERENCE TO RECORDED ASSIGNMENT  
OF ORIGINAL APPLICATION**

This application is a divisional application of U.S. Application No. 10/310,312, filed December 5, 2002, which is a divisional application of U.S. Application No. 09/636,374, filed August 11, 2000, now U.S. Patent No. 6,546,633. A prior assignment of the original application (USSN 09/636,374) is recorded in the U.S. Patent and Trademark Office at Reel 011015, Frame 0058 and prior assignment of the first divisional application (USSN 10/310,312) is recorded in the U.S. Patent and Trademark Office at Reel 013576, Frame 0210.

A copy of the assignment is provided herewith. This assignment, recorded against the original and first divisional application, gives the assignee rights to the subject matter common to both applications.

Respectfully submitted,

Dated: 1-16-04

By: Ryan W. Massey  
Ryan W. Massey, Reg. No. 38,543

HARNESSE, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

**ASSIGNMENT**

For valuable consideration, the receipt of which is hereby acknowledged by each of us, the undersigned, hereinafter referred to as Assignors, do hereby sell and assign to **BLACK & DECKER INC.**, a corporation organized and existing under the laws of the State of Delaware, U.S.A., having its principal place of business at 1423 Kirkwood Highway, Newark, Delaware, U.S.A., its successors, assigns, nominees, or other legal representatives, the entire right, title, and interest in and to the IMPROVEMENTS IN:

**RECIPROCATING SAW HOLDER**

invented by us and the United States Patent application therefor, executed concurrently herewith, and all original and reissued patents granted therefor, and all divisions and continuations thereof, including the subject matter of any and all claims which may be obtained in every such patent, and the right to apply for and obtain patents, Utility Model Registrations, and Inventor's Certificates in countries foreign to the United States, and in and to any Letters Patent, Utility Model Registration, or Inventor's Certificate which may be granted thereon in such foreign countries, including all priority rights under the International Convention associated therewith for each country of the Union, and authorize and request the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue the said Letters Patent, Utility Model Registration, or Inventor's Certificate to the said **BLACK & DECKER INC.**, its successors, assigns, nominees, or other legal representatives, as assignee of the entire interest, and covenant that we have full right to convey the entire interest herein assigned and that we have not executed and will not execute any agreement in conflict herewith, and agree that we will communicate to said Corporation, its successors, assigns, nominees, or other legal representatives, all facts known to us respecting said invention, whenever requested, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and do all lawful acts requisite for the application for such divisional, continuing, or reissue applications, or the procuring thereof, and that if and when said **BLACK & DECKER INC.**, its successors, assigns, nominees, or other legal representatives desire to file a disclaimer relating thereto, we will, upon request, sign all lawful papers requisite for the filing of such disclaimer, and we further covenant and agree that we will, at any time upon request, do everything legally possible to aid said Corporation, its successors, assigns, nominees, or other legal representatives, either in its or their own name, to apply for, obtain, and enforce patent, Utility Model, and/or Inventor's Certificate protection for said improvements in all countries, all without further consideration but at the expense of said **BLACK & DECKER INC.**, its successors, assigns, nominees, or other legal representatives.

Kelton W. Lovell  
Kelton W. Lovell

Date: 7/31/00

**WITNESSES:**

x Danielle G. G.

x \_\_\_\_\_

Date: 7/31/2000

Date: \_\_\_\_\_

Timothy T. McKenzie  
Timothy T. McKenzie

Date: 7/31/00

WITNESSES:

x Daniell Bayl

Date: 8/04/2000

X \_\_\_\_\_

Date: \_\_\_\_\_

Jason B. Melvin  
Jason Melvin

Date: 8-4-00

WITNESSES:

x Daniell Bayl

Date: 8/04/2000

X \_\_\_\_\_

Date: \_\_\_\_\_